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Attorneys for Defendants
EBISLOGIC, INC., ASTERIX CONSULTING, INC.,
AND ELITE TECHNOLOGY PARTNERS, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SRICOM, INC.,

Plaintiff,

v.

EBISLOGIC, INC., ASTERIX CONSULT-
ING, INC., ELITE TECHNOLOGY
PARTNERS, LLC, VMWARE, INC. and
DOES 1 through 20 inclusive,

Defendants.

Case No. CV12-00904 LHK

**NOTICE OF MOTION TO DISMISS FOR
FAILURE TO STATE A CLAIM UNDER
FEDERAL RULE OF CIVIL PROCEDURE
12(b)(6); MOTION FOR A MORE DEFINITE
STATEMENT UNDER RULE 12(e); AND
MOTION TO STRIKE IMPROPER MATTER
UNDER RULE 12(f)**

Date: June 28, 2012
Time: 1:30 p.m.
Dept.: Crtroom 8, 4th Floor
Judge: Hon. Lucy H. Koh

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT on June 28, 2012 at 1:30 p.m., in Courtroom 8, 4th Floor of the above-entitled Court, Defendants Asterix Consulting, Inc., eBisLogic, Inc., and Elite Technology Partners, LLC (collectively, "Defendants") will, and hereby do, move the Court for an order abating the proceeding in light of plaintiff's failure to qualify to do business in California as required by law or, alternatively, for an order dismissing the First, Second, Third, Fourth, and Fifth Claims asserted in Sricom, Inc.'s ("Sricom") Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6), for an order compelling a more definite statement under Rule 12(e), and for an order striking certain immaterial or impertinent matter from the Complaint pursuant to Rule 12(f). This motion was previously noticed for April 10, 2012 and papers in support thereof were filed per Docket Number 6, but the hearing date, time, and place have been rescheduled as noted above.

DATED: March 7, 2012

MBV LAW LLP

By: /s/ Dwight C. Donovan
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